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PTO/SB/21 (08-00)  
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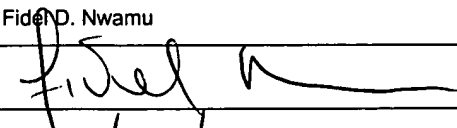
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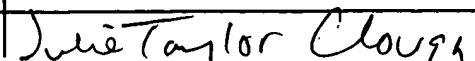
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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/890,178	
	<b>Filing Date</b>	January 28, 2000	
	<b>First Named Inventor</b>	Alexander Medvinsky	
	<b>Group Art Unit</b>		
	<b>Examiner Name</b>	Bryan Tung	
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b>	018926-003400US

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input checked="" type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):  Petition to Change the First Name of Inventor, Declaration of Alexander Medvinsky in Support of Petition to Change First Name of Inventor, Declaration of Charles J. Kulas in Support of Petition to Change First Name of Inventor, Copy of Communication mailed January 25, 2002, Return Postcard
<b>Remarks</b>		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
<b>Firm and Individual name</b>	Townsend and Townsend and Crew LLP Fidel D. Nwamu Reg. No. 46,294	
<b>Signature</b>		
<b>Date</b>	3/25/02	

CERTIFICATE OF MAILING		
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box PCT, Washington, D.C. 20231 on this date: <u>March 25, 2002</u>		
<b>Typed or printed name</b>	Julie Taylor Clough	
<b>Signature</b>		<b>Date</b> <u>March 25, 2002</u>

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.  
SF 1330087 v1



JAN 25 2002

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018926-00340305

Commissioner for Patents  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

*Response Due*

*3/25/02 MWR*

Charles J. Kulas  
Townsend and Townsend and Crew LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111

In re Application of MEDVINSKY et al  
U.S. Application No.: 09/890,178  
Int. Application No.: PCT/US00/02317  
Int. Filing Date: 28 January 2000  
Priority Date: 29 January 1999  
Attorney Docket No.: 018926-0003400US  
For: SELF-GENERATION OF CERTIFICATES  
USING A SECURE MICROPROCESSOR IN  
A DEVICE FOR TRANSFERRING  
DIGITAL INFORMATION

COMMUNICATION

This application is before the PCT Legal Office for consideration of issues arising under 35 U.S.C. 371.

### **BACKGROUND**

On 28 January 2000, applicants filed international application PCT/US00/02317, which claimed priority of an earlier United States application filed 29 January 1999. A Demand for international preliminary examination, in which the United States was elected, was filed on 22 August 2000, prior to the expiration of nineteen months from the priority date. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 30 July 2001 (29 July 2001 was a Sunday).

On 26 July 2001, applicants filed national stage papers in the United States Designated/Elected Office (DO/EO/US). The submission was accompanied by, *inter alia*, the basic national fee required by 35 U.S.C. 371(c)(1).

On 06 September 2001, the DO/EO/US mailed a Notification of Missing Requirements Under 35 U.S.C. 371 (Form PCT/DO/EO/905), which indicated that an oath or declaration in compliance with 37 CFR 1.497 must be filed along with a surcharge under 37 CFR 1.492(e) for providing the oath or declaration later than thirty (30) months from the priority date.

On 03 January 2002, applicants filed an executed declaration.


### DISCUSSION

A review of the application file reveals that the given name of the first inventor is listed in the international application as "Sasha" while the given name is listed in the declaration as "Alexander". In that this is clearly more than a mere typographical error or a phonetic misspelling of the inventor's given name, a proper petition under 37 CFR 1.182 is required in order to resolve the matter. Such a petition must be accompanied by the requisite petition fee of \$130.00 as well as statements from the inventor and any other persons having firsthand knowledge of the error. These statements must set forth the specific circumstances as to how and when the error was made and discovered and must also set forth that the mistake was an inadvertent error without deceptive intent.<sup>1</sup>

### CONCLUSION

A proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Failure to timely file a proper response will result in ABANDONMENT of the application. A proper response would be a petition under 37 CFR 1.182 along with the appropriate petition fee and the statement(s) described above. Extensions of time are available pursuant to 37 CFR 1.136.

Please direct further correspondence with respect to this matter to the Commissioner for Patents, Box PCT, Washington, D.C. 20231, and address the contents of the letter to the attention of the PCT Legal Office.

  
Bryan Tung  
PCT Legal Examiner  
PCT Legal Office

Telephone: 703-308-6614  
Facsimile: 703-308-6459

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<sup>1</sup> In the event that the inventor's name has been legally changed after the application has been filed, an affidavit signed with both names and setting forth the procedure whereby the change of name was effected, or a certified copy of the court order, must be submitted. See MPEP 605.05(c).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Assistant Commissioner for Patents, Box PCT,  
Washington, D.C. 20231, Attn: PCT Legal Office

PATENT  
Attorney Docket No. 18926-003400US

On march 25, 2002

TOWNSEND and TOWNSEND and CREW LLP

By: Julie Taylor Clough

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

ALEXANDER MEDVINSKY, et al.

U.S. Application No.: 09/890,178  
Int. Application PCT/US00/02317

Int. Filing Date: January 28, 2000

For: SELF-GENERATION OF  
CERTIFICATES USING SECURE  
MICROPROCESSOR IN A DEVICE  
FOR TRANSFERRING DIGITAL  
INFORMATION

PCT Legal Examiner: Bryan Tung

PETITION TO CHANGE THE FIRST  
NAME OF INVENTOR UNDER 37 CFR  
1.182

**RECEIVED**

04 APR 2002

International Division

Assistant Commissioner for Patents, Box PCT  
Washington, D.C. 20231, Attn: PCT Legal Office

Sir:

In response to the Communication dated January 25, 2002, applicants hereby petition the Assistant Commissioner of Patents to change the first name of inventor from "Sasha Medvinsky" to --Alexander Medvinsky--.

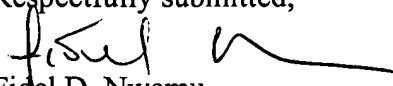
Declarations in Support of Petition to Change the First Name of Inventor signed by the inventor, and attorney of record, accompany this Petition.

Please charge \$130.00, pursuant to 37 CFR §1.17(h), to Deposit Account No. 20-1430. Please charge any additional fees or credit overpayment to the above Deposit Account. This Petition is submitted in triplicate.

04/18/2002 LLANDGRA 00000003 201430 09890178

01 FC:122 130.00 CH

Respectfully submitted,

  
Fidel D. Nwamu  
Reg. No. 46,294

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